

Facsimile Transmission Cover Sheet for
MARINE ACOUSTICS, INC.
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801 North Stuart Street
Arlington, VA 22203-1821
(703) 465-8404 • Fax (703) 465-8420

DATE:

8/12/99

FROM:

JOHN MAYER

TO:

CHERYL MAGILL

ORGANIZATION:

FAX:

650-429-2116

PHONE:

Number of Pages: 2 (Including Cover Page)

Comments:

CHERYL,

I HAVE ENJOYED AN ANNOUNCEMENT of the public MEETING ON 19 AUG 99 AT THE CABALLO MARINO AQUARIUM IN SAN PEDRO. IN ADDITION, the meeting IN MIAMI IS REMOVED FROM THE 25th of AUG AT THE UNIV. of MIAMI - RSMAS. The other meetings will be ANNOUNCED ON THE WEBSITE (see attached) and hopefully ON MARMAH.

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U. S. POSTAL SERVICE. THANK YOU.

**The Department of the Navy
(Chief of Naval Operations)**

invites the public to an Open House

on the

**Surveillance Towed Array Sensor System Low Frequency
Active (SURTASS LFA) Sonar Draft Overseas
Environmental Impact Statement/Environmental Impact
Statement (OEIS/EIS)**

Thursday, August 19, 1999

5:00 to 8:00 pm

Cabrillo Marine Aquarium

3720 Stephen White Drive

San Pedro, CA

On July 30, 1999, The SURTASS LFA Draft OEIS/EIS was released for public comment. This is the first of a series of open houses that will allow the public to interact directly with the Navy's sponsor and program manager for SURTASS LFA, and the marine biologists and bioacousticians that led the Scientific Research Program to collect data for the OEIS/EIS. There will be an extensive poster display and an informational video on SURTASS LFA will run continuously. Computers will be available for browsing the SURTASS LFA Website. Written comments are encouraged and will be accepted during the open house.

Contact for questions or comments:

J. S. Johnson at (703) 477-8743; Email: elsteam@mindspring.com

Visit the Navy Website at: <http://elsteam.home.mindspring.com>

May 29, 2001

**Donna Wieting, Chief
Marine Mammal Conservation Division
Office of Protected Resources
National Marine Fisheries Service
1315 East-West Highway
Silver Spring,
MD 20910-3226**

Fax number: 301-713-0376

Dear Ms. Wieting,

I am enclosing another communication as part of my series of responses on the NMFS proposed ruling on the US Navy's FEIS for SURTASS LFA Sonar. Once again, please accept the entire series as parts arrive in tandem.

In the reponse I gave to Mr. Johnson on October 28, 1999 to the document then known as:

Draft
Overseas Environmental Impact Statement
and
Environmental Impact Statement
for
Surveillance Towed Array Sensor System
Low Frequency Active
(SURTASS LFA) SONAR

In that letter, I had said,

"Furthermore, attempts to instruct people to better inform themselves as to the nature of the DEIS and the posted Internet information about the first open house were all thwarted by the fact that the Navy chose this particular week to change its virtual redirect web site to a new location. So posted articles that went out that week by persons such as myself who tried to encourage others to attend and to participate in this process were undermined by the little bit of a system which the Navy had in place at that time all changing at the last minute. So while I posted a notice about the San Pedro Meeting and while the NRDC did the same; we directed interested parties to this Internet address: <http://cisteam.home.mindspring.com> "

Please note that no adequate address to the comment is offered in the FEIS.

This is no small matter and I think if you look at the original fax I received from John Mayer of Marine Acoustics, Incorporated, that you will see several signs of side-stepping an important obligation which the Navy had.

This fax was sent to me when I requested information on the Public Meetings and couldn't find any. So I called long distance to Washington and finally got ahold of John Mayer at Marine Acoustics. He faxed me this notice later in the afternoon. So far as I am aware, it's the most advanced notice that anyone received regarding the "Open House" in San Pedro. The fax was sent to me on the afternoon of the 12th of August for a function which was to take place on the 19th.

In an attempt to address the requirements of the public and there was less than a week's notice. And this was not a public posting. This was a private communication to me as it clearly says on the front cover.

When I tried to refer people to the Navy's site such as it appears on the flyer, the entire Navy Web Site for LFAS suddenly stopped working. So the information on the notice had the appearance of offering information to the public while in fact it did not offer any such resource at all.

So in the delayed notification and in the pulled web site we have two examples of deliberate side-stepping.

And furthermore, in the FEIS, I didn't see any discussion of how the Navy managed to publish an incorrect address for the Outreach Hearing in Honolulu. If you compare the attendance between the two hearings there, I think you will have to agree that the public's participation improves immensely when the correct address is given.

Attached are two faxed pages from John Mayer regarding the San Pedro meeting.

Thank you,



Cheryl A. Magill

Coordinator

Stop LFAS Worldwide Network

1556 Halford Ave.

Santa Clara, CA 95051